

In the High Court of Judicature at Madras

Dated : 09.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.837 of 2014

The Commissioner of Income Tax,
Chennai ...Appellant

Vs

M/s.Southern Metals & Alloys,
Chennai-11.Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 31.1.2014 in ITA No.1365/Mds/2013 on the file of the Income Tax Appellate Tribunal Chennai 'B' Bench for the assessment year 2006-07 against the order, dated 15/3/2013, in Commissioner of Income Tax (Appeals)-IV, Chennai in ITA No.532/2011-12, against the assessment order, dated 30/12/2011 in PAN No.AACFS0515L on the file of Income Tax Officer, Business Ward-XII (4), Chennai.

For Appellant : Mr.T.R.Senthilkumar

For Respondent : Mr.A.S.Sriraman

Judgment was delivered by T.S.SIVAGNANAM, J

Heard the learned counsel for the appellant.

2. This appeal by the Revenue challenges the order passed by the Income Tax Appellate Tribunal, which decided the issue in favour of the assessee.

3. The Revenue seeks to withdraw the appeal on account of low tax effect in terms of Circular No.3 of 2018 dated 11.7.2018 issued by the Central Board of Direct Taxes.

4. In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open. In the event the tax effect is above the threshold limit

fixed in the said circular, liberty is granted to the Revenue to make a mention to this Court to restore the appeal to be heard and decided on merits. No costs.

Sd/-
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

RS

To

1. The Income Tax Appellate Tribunal, Chennai 'B' Bench.
2. The Commissioner of Income Tax (Appeals)-IV,
121, Mahatma Gandhi Road, Nungambakkam, Chennai-34.
3. The Income Tax Officer, Business Ward XII(4),
Kannamai Building, 7th Floor, 611, Annasalai,
Chennai-600006.

+1cc to Mr.T.R.Senthilkumar, Advocate SR.No.70787

+1cc to Mr.S.Sridhar, Advocate SR.No.69952

TCA.No.837 of 2014

GJ (CO)

GMV (14/11/2018)

सत्यमेव जयते

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